

ASSEMBLY BILL

No. 213

**Introduced by Assembly Member Logue
(Principal coauthor: Assembly Member Pan)**

January 31, 2013

An act to add Section 712 to the Business and Professions Code, and to add Section 131136 to the Health and Safety Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 213, as introduced, Logue. Healing arts: licensure and certification requirements: military experience.

Existing law provides for the licensure and regulation of various healing arts professions and vocations by boards within the Department of Consumer Affairs. Existing law requires the rules and regulations of these healing arts boards to provide for methods of evaluating education, training, and experience obtained in military service if such training is applicable to the requirements of the particular profession or vocation regulated by the board. Under existing law, specified other healing arts professions are licensed or certified and regulated by the State Department of Public Health. In some instances, a board with the Department of Consumer Affairs or the State Department of Public Health approves schools offering educational course credit for meeting licensing or certification qualifications and requirements.

This bill would require a healing arts board within the Department of Consumer Affairs and the State Department of Public Health, upon the presentation of evidence by an applicant for licensure or certification, to accept education, training, and practical experience completed by an applicant in military service toward the qualifications and requirements

to receive a license or certificate if that education, training, or experience is equivalent to the standards of the board or department. If a board or the State Department of Public Health accredits or otherwise approves schools offering educational course credit for meeting licensing and certification qualifications and requirements, the bill would, not later than July 1, 2014, require those schools seeking accreditation or approval to have procedures in place to evaluate an applicant's military education, training, and practical experience toward the completion of an educational program that would qualify a person to apply for licensure or certification, as specified.

Under existing law, the Department of Veterans Affairs has specified powers and duties relating to various programs serving veterans. Under existing law, the Chancellor of the California State University and the Chancellor of the California Community Colleges have specified powers and duties relating to statewide health education programs.

With respect to complying with the bill's requirements and obtaining specified funds to support compliance with these provisions, this bill would require the Department of Veterans Affairs, the Chancellor of the California State University, and the Chancellor of the California Community Colleges to provide technical assistance to the healing arts boards within the Department of Consumer Affairs, the State Department of Public Health, and to the schools offering, or seeking to offer, educational course credit for meeting licensing qualifications and requirements.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known and may be cited as the
- 2 Veterans Health Care Workforce Act of 2012.
- 3 SEC. 2. (a) The Legislature finds and declares all of the
- 4 following:
- 5 (1) Lack of health care providers continues to be a significant
- 6 barrier to access to health care services in medically underserved
- 7 urban and rural areas of California.
- 8 (2) Veterans of the United States Armed Forces and the
- 9 California National Guard gain invaluable education, training, and
- 10 practical experience through their military service.

1 (3) According to the federal Department of Defense, as of June
2 2011, one million veterans were unemployed nationally and the
3 jobless rate for post-9/11 veterans was 13.3 percent, with young
4 male veterans 18 to 24 years of age experiencing an unemployment
5 rate of 21.9 percent.

6 (4) According to the federal Department of Defense, during the
7 2011 federal fiscal year, 8,854 enlisted service members with
8 medical classifications separated from active duty.

9 (5) According to the federal Department of Defense, during the
10 2011 federal fiscal year, 16,777 service members who separated
11 from active duty listed California as their state of residence.

12 (6) It is critical, both to veterans seeking to transition to civilian
13 health care professions and to patients living in underserved urban
14 and rural areas of California, that the Legislature ensures that
15 veteran applicants for licensure by healing arts boards within the
16 Department of Consumer Affairs or the State Department of Public
17 Health are expedited through the qualifications and requirements
18 process.

19 (b) It is the intent of the Legislature to ensure that boards within
20 the Department of Consumer Affairs and the State Department of
21 Public Health and schools offering educational course credit for
22 meeting licensing qualifications and requirements fully and
23 expeditiously recognize and provide credit for an applicant's
24 military education, training, and practical experience.

25 SEC. 3. Section 712 is added to the Business and Professions
26 Code, to read:

27 712. (a) Notwithstanding any other provision of law, a board
28 under this division shall, upon the presentation of satisfactory
29 evidence by an applicant for licensure, accept the education,
30 training, and practical experience completed by the applicant as a
31 member of the United States Armed Forces or Military Reserves
32 of the United States, the national guard of any state, the military
33 reserves of any state, or the naval militia of any state, toward the
34 qualifications and requirements for licensure by that board if the
35 board determines that the education, training, or practical
36 experience is equivalent to the standards of the board.

37 (b) Not later than July 1, 2014, if a board under this division
38 accredits or otherwise approves schools offering educational course
39 credit for meeting licensing qualifications and requirements, the
40 board shall require a school seeking accreditation or approval to

1 submit to the board proof that the school has procedures in place
2 to evaluate, upon presentation of satisfactory evidence by the
3 applicant, the applicant's military education, training, and practical
4 experience toward the completion of an educational program that
5 would qualify a person to apply for licensure if the school
6 determines that the education, training, or practical experience is
7 equivalent to the standards of the board. A board that requires a
8 school to be accredited by a national organization shall not impose
9 requirements on the school that conflict with the standards of the
10 national organization.

11 (c) With respect to complying with the requirements of this
12 section including the determination of equivalency between the
13 education, training, or practical experience of an applicant and the
14 board's standards, and obtaining state, federal, or private funds to
15 support compliance with this section, the Department of Veterans
16 Affairs, the Chancellor of the California State University, and the
17 Chancellor of the California Community Colleges shall provide
18 technical assistance to the boards under this division and to the
19 schools under this section.

20 SEC. 4. Section 131136 is added to the Health and Safety Code,
21 to read:

22 131136. (a) Notwithstanding any other provision of law, the
23 department shall, upon the presentation of satisfactory evidence
24 by an applicant for licensure or certification in one of the
25 professions described in subdivision (b), accept the education,
26 training, and practical experience completed by the applicant as a
27 member of the United States Armed Forces or Military Reserves
28 of the United States, the national guard of any state, the military
29 reserves of any state, or the naval militia of any state, toward the
30 qualifications and requirements for licensure by the department if
31 the department determines that the education, training, or practical
32 experience is equivalent to the standards of the department.

33 (b) The following professions are subject to this section:

34 (1) Medical laboratory technician as described in Section 1260.3
35 of the Business and Professions Code.

36 (2) Clinical laboratory scientist as described in Section 1262 of
37 the Business and Professions Code.

38 (3) Radiologic technologist as described in Chapter 6
39 (commencing with Section 114840) of Part 9 of Division 104.

1 (4) Nuclear medicine technologist as described in Chapter 4
2 (commencing with Section 107150) of Part 1 of Division 104.

3 (5) Certified nurse assistant as described in Article 9
4 (commencing with Section 1337) of Chapter 2 of Division 2.

5 (6) Certified home health aide as described in Section 1736.1.

6 (7) Certified hemodialysis technician as described in Article
7 3.5 (commencing with Section 1247) of Chapter 3 of Division 2
8 of the Business and Professions Code.

9 (8) Nursing home administrator as described in Chapter 2.35
10 (commencing with Section 1416) of Division 2.

11 (c) Not later than July 1, 2014, if the department accredits or
12 otherwise approves schools offering educational course credit for
13 meeting licensing and certification qualifications and requirements,
14 the department shall require a school seeking accreditation or
15 approval to submit to the board proof that the school has procedures
16 in place to fully accept an applicant's military education, training,
17 and practical experience toward the completion of an educational
18 program that would qualify a person to apply for licensure or
19 certification if the school determines that the education, training,
20 or practical experience is equivalent to the standards of the
21 department. If the department requires a school to be accredited
22 by a national organization, the requirement of the department shall
23 not, in any way, conflict with standards set by the national
24 organization.

25 (d) With respect to complying with the requirements of this
26 section including the determination of equivalency between the
27 education, training, or practical experience of an applicant and the
28 department's standards, and obtaining state, federal, or private
29 funds to support compliance with this section, the Department of
30 Veterans Affairs, the Chancellor of the California State University,
31 and the Chancellor of the California Community Colleges shall
32 provide technical assistance to the department, to the State Public
33 Health Officer, and to the schools described in this section.